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10/786,576	02/24/2004	William A. McCarty	KSC11.016A	1813
20995 7590 12/09/2010 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			EXAMINER PAUL, DISLER	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/786,576	<b>Applicant(s)</b> MCCARTY ET AL.	
	<b>Examiner</b> DISLER PAUL	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendments***

In regard to the applicant's amendment of claim(s) 1-2; 24;26; 33; 35 as filed on 11/12/10, wherein the amendment claim(s) contains subject matter such as "wherein there are more coupling points than audio-visual modules" as recited in independent claim 1 and also "wherein there are more locations than audio visual modules" as cited in independent claims 2; 24; 26; 33; 35, have been further considered and rejected over prior art as in Greenberg (US 4475,226).

### ***Claim Rejections - 35 USC § 112***

Claims 1-48 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter such as "wherein there are more coupling points than audio-visual modules" as recited in independent claim 1 and also "wherein there are more locations than audio visual modules" as cited in independent claims 2; 24; 26; 33; 35 which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10; 16-17, 19; 22-30; 33-37; 43-44; 46 are rejected under 35

U.S.C. 103(a) as being Unpatentable over Cowan et al. (US 2003/0029975 A1) and Simon (US 2001/0027560 A1) and Greenberg (US 4475226) and Schlatmann et al. (US 6,298,942 B1).

Re claim 1, Cowan et al. disclose of a modular mounting bar for securing components for used with a display device comprising a housing to a surface separate from the display device (fig.1 (12, 10); par [0022]/the modular mounting with a housing to a surface wall; and further the recitation as "surface as being separate from the display device" is merely the intended use for the structure and thus no patentable weight is given to such recitation) comprising: a plurality of audio modules (fig.1 (12); fig.4 (12, 20,22); par [0023]/the mounting bar include a plurality of audio modules speakers); and a rail configured to be attached to the surface via at least one of a plurality of openings disposed along the rail and the rail being configured to receive each of the modules at a respective one of a plurality of coupling points along the rail (fig.3-4;6(18); par [0025, 0029]/the bracket as being the rail to support the audio modules and rail include coupling points (fig.3 -4(44, 92); the audio modules to be attached to the rail along coupling points).

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However, Cowan et al. fail to disclose of the modules as being an audio-video module. But, Simon disclose of a housing wherein having a module as being an audio-video module (fig.6 (90-91,2); par [0043]/the chassis include a speaker and DVD) so as to provide the listener with audio and video signals for entertainment. Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding housing comprising the module as being an audio-video module so as to provide the listener with audio and video signals for entertainment.

The combined teaching of Cowan et al. and Simon as a whole, further disclose of the modules are positioned above or below the display device (fig.1 (12, 10); the module is above the display multimedia device) and wherein the rail is not coupled to either the display device or the housing of the display device, and wherein the surface comprises the outer surface of a generally vertical wall (fig.1 (12); fig.6 (18); par [0025,0029]/the rail as being the bracket (18) is not coupled to the display device and surface comprises a vertical wall wherein such bracket rail is attached onto) and a cover configured to be secured in front of at least a portion of one of the modules (fig.2(16); par [0023]/the housing comprise a grill cover).

Although, the combined teaching of Cowan et al. and Simon as a whole, disclose of the rail wherein there are coupling points for the

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audio-visual modules (fig.3 -4(44, 92); the audio modules to be securely attached to the rail along plurality of coupling points).

However, the combined teaching of Cowan et al. and Simon as a whole, failed to disclose of the rail wherein there are more coupling points than audio modules.

But, Greenberg disclose of a mounting bar comprising: a rail wherein there are more coupling points than audio modules (fig.1 (26, 14,18); fig.3-5; col.4 line 10-35; col.7 line 5-30/the rail (26) include plurality of coupling points along such rails which is more the audio modules). Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding the mounting bar comprising: a rail wherein there are more coupling points than audio modules so as to conveniently move one or more plurality of sound fixtures to any position along the track.

Similarly, it would have been obvious for one of the ordinary skills in the art to have tried in substituted the audio modules for the specific of including audio-visual modules if desired which yield predictable result so as to conveniently move one or more plurality of sound-visual fixtures to any position along the track.

However, the combined teaching of Cowan et al. and Simon and Greenberg as a whole, fail to disclose that the modules as being

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positioned within the vertical bounds of the display device. But, Schlattmann et al. disclose of a housing comprising: a module as being positioned within the vertical bounds of a display device (fig.2; fig.3 (109); col.5 line 18-25) so as to generate a center loudspeaker with an acoustically high-grade apparatus. Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding the module as being positioned within the vertical bounds of the display device so as to generate a center loudspeaker with an acoustically high-grade apparatus.

Claim 2, Cowan et al. disclose of a modular mounting system for audio components for use with a display device comprising a housing (fig.1 (12, 10); par [0022]/the modular mounting with a housing) comprising: at least one audio module (fig.1 (12); fig.4 (12, 20,22); par [0023]); a rail wherein the rail is configured to be attached to a surface other than surfaces of the display device, wherein the surface comprises the outer surface of a generally vertical wall, wherein the rail is separate from the display device and the housing of the display device, and wherein the rail is configured to receive the module at a plurality of locations along the rail, wherein the module is positioned above or below the display device (fig.4;6(12; 18);

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par [0025, 0029]/the bracket to support the audio modules and being separate from the display device).

However, Cowan et al. fail to disclose of the modules as being an audio-video module. But, Simon disclose of a housing wherein having a module as being an audio-video module (fig.6 (90-91,2); par [0043]/the chassis include a speaker and DVD) so as to provide the listener with audio and video signals for entertainment. Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding housing comprising the module as being an audio-video module so as to provide the listener with audio and video signals for entertainment.

But, the combined teaching of Cowan et al. and Simon as a whole, failed to disclose of the rail wherein there are more locations than audio modules.

But, Greenberg disclose of a mounting system comprising: a rail wherein there are more locations than audio modules (fig.1 (26, 14,18); fig.3-5; col.4 line 10-35; col.7 line 5-30/the rail (26) include plurality of locations along such rails which is more the audio modules). Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding the mounting bar comprising: a rail wherein there are more locations



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than audio modules so as to conveniently move one or more plurality of sound fixtures to any position along the track.

Similarly, it would have been obvious for one of the ordinary skills in the art to have tried in substituted the audio modules for the specific of including audio-visual modules if desired which yield predictable result so as to conveniently move one or more plurality of sound-visual fixtures to any position along the track.

However, the combined teaching of Cowan et al. and Simon and Greenberg as a whole, fail to disclose that the modules as being positioned within the vertical bounds of the display device. But, Schlatmann et al. disclose of a housing comprising: a module as being positioned within the vertical bounds of a display device (fig.2; fig.3 (109); col.5 line 18-25) so as to generate a center loudspeaker with an acoustically high-grade apparatus. Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding the module as being positioned within the vertical bounds of the display device so as to generate a center loudspeaker with an acoustically high-grade apparatus.

Claim 3, the modular mounting system of claim 2, wherein comprising having a cover that is configured to be securely position in front of the modules (fig.2(16); par [0023]/the housing comprise a grill cover).

Claim 4, the modular mounting system of claim 3, wherein the cover is configured to be secured to the at least one module (par[0023]).

Claim 5, the modular mounting system of Claim 3, wherein the cover comprises a grille (par [0023]).

Claim 6, the modular mounting system of Claim 2, wherein the rail comprises a plurality of openings configured to receive a fastener, the fastener being securable to the surface (fig.4,6(18); par [0030]).

Claim 7, the modular mounting system of Claim 2, wherein the rail comprises: a base configured to define a mating relationship with the at least one module (fig.6 (18,14); par [0023]/the base of the rail mate with the module); a pair of flanges that defines a groove running along the lengthwise edge of the base (fig.6 (46,48); par [0030]).

Re claim 8, the modular mounting system of Claim 7, while, the combined teaching of Cowan et al. and Simon and Greenberg and Schlattmann et al. as a whole, fail to disclose that the pair of flanges each extend approximately perpendicularly from each end of the base and along opposing longitudinal edges of the base, each flange having a portion comprising an inwardly extending. But, it would have been obvious for one of the ordinary skills

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in the art to have implemented the flanges in many different positions with respect to the base and including having the flanges as being specifically each extend approximately perpendicularly from each end of the base and along opposing longitudinal edges of the base, each flange having a portion comprising an inwardly extending for the same benefit as to mount the housing to the wall.

Re claim 9, the modular mounting system of claim 2, wherein the at least one audio-visual module comprises a loudspeaker (Cowan; fig.4 (12); par [0022-0023]).

Re claim 10, the modular mounting system of claim 2, wherein the at least one audio-visual module comprises a DVD player (Simon; fig.6 (90-91,2); par [0043]/the chassis include a DVD).

Re claim 16, the assembly of claim 2, wherein the at least one of the audio-visual modules comprising a compact disk player (Simon; fig.6 (90-91,2); par [0043]/the chassis include CD; DVD).

Re claim 17, the assembly of claim 2, wherein the at least one of the audio-visual modules comprising a digital video recorder (Simon; fig.6 (91); par [0043]/the chassis include camera).

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Re claim 19, the assembly of claim 2, wherein the at least one of the audio-visual modules comprising a central processing unit (Simon; fig.6 (92); par [0043]/the chassis include personal computer and thus such computer inherently include a processing unit).

Re claim 22, the method of Claim 24, wherein the rail has portions thereof that define a channel; and wherein the audio-visual component has attachment surfaces that matingly connect with the channel to the rail, so as to fix the component in a desired location on the rail ((fig.6 (18,14); par [0023]/the channel of the rail mate with the component).

RE claim 23, the method of Claim 22, further comprising: securing a cover to the component so as to secure the cover in a desired location on the component (fig.2 (16); par [0023]/the housing comprise a grill cover).

Re claim 24, Cowan et al. disclose a method of mounting audio components for use with a display device comprising a housing, to a surface separate from the display device ((fig.1 (12, 10); par [0022]/the modular mounting with a housing to a surface wall and further the recitation as "housing to a surface as being separate from the display device" is merely the intended use for the structure and thus no patentable weight is given to such recitation); comprising: securing a rail to the surface , the surface comprising the outer

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surface of a generally vertical wall (fig.4;6(18); par [0025, 0029]/the bracket rail to being secured to a outer vertical wall).

However, Cowan et al. fail to disclose of the component as being an audio-video component. But, Simon disclose of a component as being an audio-video component (fig.6 (90-91,2); par [0043]/the chassis include a speaker and DVD) so as to provide the listener with audio and video signals for entertainment. Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding housing comprising the component as being an audio-video component so as to provide the listener with audio and video signals for entertainment.

Thus, the combined teaching of Cowan et al. and Simon as a whole, further disclose of connecting an audio-visual component to the rail and wherein the audio -visual component is position above or below the display device (fig.4; (fig.1 (12, 10); the module is above the display multimedia device).

But, the combined teaching of Cowan et al. and Simon as a whole, failed to disclose of the rail wherein is configured to receive the audio-visual component at a plurality of locations along the rail, wherein there are more locations than audio-visual components.

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But, Greenberg disclose of a mounting method comprising: the rail wherein is configured to receive the audio component at a plurality of locations along the rail, wherein there are more locations than audio components (fig.1 (26, 14,18); fig.3-5; col.4 line 10-35; col.7 line 5-30/the rail (26) include plurality of locations along such rails which is more the audio modules). Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding the mounting bar comprising: the rail wherein is configured to receive the audio component at a plurality of locations along the rail, wherein there are more locations than audio components so as to conveniently move one or more plurality of sound fixtures to any position along the track.

Similarly, it would have been obvious for one of the ordinary skills in the art to have tried in substituted the audio modules for the specific of including audio-visual modules if desired which yield predictable result so as to conveniently move one or more plurality of sound-visual fixtures to any position along the track.

However, the combined teaching of Cowan et al. and Simon and Greenberg as a whole, fail to disclose that the components as being positioned within the vertical bounds of the display device. But, Schlatmann et al. disclose of a housing comprising: a component as being positioned within the vertical bounds of a display device (fig.2; fig.3 (109); col.5 line 18-25) so as to generate a center

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loudspeaker with an acoustically high-grade apparatus. Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding the component as being positioned within the vertical bounds of the display device so as to generate a center loudspeaker with an acoustically high-grade apparatus.

RE claim 25, the method of Claim 24, further comprising connecting at least one additional audio-visual component to the rail (fig.4 (20,22); par [0023]/the component has plurality of audio components).

Re claim 26, Cowen et al. disclose of an assembly for mounting audio components for use with a wall-mounted display device comprising a housing (fig.1 ;4 (12); par [0022]/the mounting with a housing to a surface wall), the assembly comprising: at least two audio modules comprising loudspeakers (fig.1 (12); fig.4 (12, 20,22); par [0023]).

However, Cowan et al. fail to disclose of the modules as being an audio-video module. But, Simon disclose of a housing wherein having a module as being an audio-video module (fig.6 (90-91,2); par [0043]/the chassis include a speaker and DVD) so as to provide the listener with audio and video signals for entertainment. Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding housing comprising the module as being an audio-

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video module so as to provide the listener with audio and video signals for entertainment.

The combined teaching of Cowan et al. and Simon as a whole, further disclose of a rail wherein the rail is configured to only be attached to a surface other than surfaces of the display device and the housing of the display device, the surface comprising the outer surface of a generally vertical wall, wherein the rail is configured to receive the modules at a plurality of locations and wherein the audio-visual modules are positioned above or below the display device (fig.1 (10,12); fig.4;6(18); par [0025, 0029]/the rail to be attached to the outer vertical wall surface and not on the display device).

But, the combined teaching of Cowan et al. and Simon as a whole, failed to disclose of the rail wherein is configured to receive the modules at a plurality of locations and wherein there are more locations than audio-visual modules.

But, Greenberg disclose of a mounting method comprising: the rail wherein is configured to receive the audio component at a plurality of locations, wherein there are more locations than audio modules (fig.1 (26, 14,18); fig.3-5; col.4 line 10-35; col.7 line 5-30/the rail (26) include plurality of locations along such rails which is more the audio modules). Thus, it would have been obvious for one of the



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ordinary skills in the art to have modified the prior art by adding the mounting bar comprising: the rail wherein is configured to receive the audio component at a plurality of locations along the rail, wherein there are more locations than audio modules so as to conveniently move one or more plurality of sound fixtures to any position along the track.

Similarly, it would have been obvious for one of the ordinary skills in the art to have tried in substituted the audio modules for the specific of including audio-visual modules if desired which yield predictable result so as to conveniently move one or more plurality of sound-visual fixtures to any position along the track.

However, the combined teaching of Cowan et al. and Simon and Greenberg as a whole, fail to disclose that the modules as being positioned within the vertical bounds of the display device. But, Schlatmann et al. disclose of a housing comprising: a module as being positioned within the vertical bounds of a display device (fig.2; fig.3 (109); col.5 line 18-25) so as to generate a center loudspeaker with an acoustically high-grade apparatus. Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding the module as being positioned within the vertical bounds of the display device so as to generate a center loudspeaker with an acoustically high-grade apparatus.

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The combined teaching of Cowan et al. and Simon and Greenberg and Schlatmann et al. as a whole, further disclose of a cover defining relationship with the at least two modules (fig.2(16); par [0023]/the modules comprise a grill cover).

However, the combined teaching of Cowan et al. and Simon and Greenberg and Schlatmann et al. as a whole, fail to disclose of the specific wherein the cover having a dimension approximately equal to a length of the display device. But, it would have been obvious for one of the ordinary skills in the art to have the cover for the module as being any dimension and may include having such dimension as being approximately equal to a length of the display device for the same benefit as in providing the transducer module a pleasing aesthetic outer appearance.

Claim 27, the assembly of Claim 26, wherein the cover is configured to be coupled to the modules (fig.2 (16); par [0023]/the modules comprise a grill cover).

Claim 28, the assembly of Claim 26, wherein the cover is configured to be coupled to the rail (fig.2 (16); par [0023]/the cover is coupled to the rail vial the transducer module).

Claim 29, the assembly of Claim 26, wherein the cover comprises a grille (par [0023]).

Claim 30, the assembly of Claim 26, further comprising a third module comprising a loudspeaker (fig.4; par [0023]/in the audio-visual modules there are speakers).

claim 33, Cowan et al. disclose of a modular mounting bar for securing components in proximity to a display device having a width, the display device being secured to a generally vertical wall (fig.1 (10,12); par [0022-0023]/the mounting bar to secure component and furthermore, display being secured to wall is more applicant's intended used and not considered) comprising: a rail having mounting locations for audio components and configured to be secured to an outer surface of the generally vertical wall independent from the display device (fig.4 (12,18); par [0023-0024]/the rail to be attach to wall independent of the display) and means for connecting an audio component to multiple locations on the rail (fig.4 (18,12); par [0023]).

However, Cowan et al. fail to disclose of the modules as being an audio-video module. But, Simon disclose of a housing wherein having a module as being an audio-video module (fig.6 (90-91,2); par [0043]/the chassis include a speaker and DVD) so as to provide the listener with audio and video signals for entertainment. Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding housing comprising the module as being an audio-

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video module so as to provide the listener with audio and video signals for entertainment.

But, the combined teaching of Cowan et al. and Simon as a whole, failed to disclose of the rail wherein there are more mounting locations than audio components.

But, Greenberg disclose of a mounting method comprising: the rail wherein there are more mounting locations than audio components (fig.1 (26, 14,18); fig.3-5; col.4 line 10-35; col.7 line 5-30/the rail (26) include plurality of locations along such rails which is more the audio modules). Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding the mounting bar comprising: the rail wherein there are more mounting locations than audio components so as to conveniently move one or more plurality of sound fixtures to any position along the track.

Similarly, it would have been obvious for one of the ordinary skills in the art to have tried in substituted the audio modules for the specific of including audio-visual modules if desired which yield predictable result so as to conveniently move one or more plurality of sound-visual fixtures to any position along the track.

The combined teaching of Cowan et al. and Simon and Greenberg as a whole, further disclose of the components as being positioned above

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or below the display device (fig.1 (12, 10); the module is above the display multimedia device).

However, the combined teaching of Cowan et al. and Simon and Greenberg as a whole, fail to disclose that the component as being positioned within the vertical bounds of the display device. But, Schlatmann et al. disclose of a housing comprising: a component as being positioned within the vertical bounds of a display device (fig.2; fig.3 (109); col.5 line 18-25) so as to generate a center loudspeaker with an acoustically high-grade apparatus. Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding the component as being positioned within the vertical bounds of the display device so as to generate a center loudspeaker with an acoustically high-grade apparatus.

However, the combined teaching of Cowan et al. and Simon and Greenberg and Schlatmann et al. as a whole, fail that the component locations match the width of the display device. However, it would have been obvious for one of the ordinary skill in the art to have component to be of any width and including having the component to math the width of the display for the same benefit as to provide a good aesthetic orientation and pleasing orientation.

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Claim 34, the module mounting bar of Claim 33, further comprising means for connecting at least one additional audio-visual component to the rail(fig.4; par [0023]).

Re claim 35, Cowan et al. disclose of a modular mounting bar for securing components in proximity to a display device having a width, the display device being secured to a generally vertical wall fig.1 (10,12); par [0022-0023]/the mounting bar to secure component and furthermore, display being secured to wall is more applicant's intended used and not considered) comprising: a plurality of audio modules (fig.1 (12); fig.4 (12, 20,22); par [0023]).

However, Cowan et al. fail to disclose of the modules as being an audio-video module. But, Simon disclose of a housing wherein having a module as being an audio-video module (fig.6 (90-91,2); par [0043]/the chassis include a speaker and DVD) so as to provide the listener with audio and video signals for entertainment. Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding housing comprising the module as being an audio-video module so as to provide the listener with audio and video signals for entertainment.

The combined teaching of Cowan et al. and Simon as a whole, further disclose of a rail configured to be secured to an outer surface of the generally vertical wall independent from the display

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device (fig.4;6(18); par [0025, 0029]/the rail to support the audio modules and being independent to a display device) and wherein the rail has a plurality of mounting holes at each of a plurality of module mounting locations and wherein each of the modules is configured to be attached to the rail at a respective one of the module mounting locations, wherein the modules are positioned above or below the display device (fig.1 (12,10); fig.4; par [0022-0023]).

However, the combined teaching of Cowan et al. and Simon as a whole, fail to disclose that the rail having a length no greater than the width of the display device, wherein the length of the rail is greater than the width of each of the modules, wherein the rail has a plurality of mounting holes at each of a plurality of module mounting locations to match module mounting to the width of the display device.

But, it would have been obvious for one of the ordinary skills in the art to have modified the rail as being any length and including the rail as being specifically having a length no greater than the width of the display device, wherein the length of the rail is greater than the width of each of the modules, wherein the rail has a plurality of mounting holes at each of a plurality of module mounting locations to match module mounting to the width of the display device for the same benefit as in securing the loudspeaker to the wall with a variety of orientation with a good aesthetic appearance.

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But, the combined teaching of Cowan et al. and Simon as a whole, failed to disclose of the rail wherein there are more module mounting locations than audio modules.

But, Greenberg disclose of a mounting method comprising: rail wherein there are more module mounting locations than audio modules (fig.1 (26, 14,18); fig.3-5; col.4 line 10-35; col.7 line 5-30/the rail (26) include plurality of locations along such rails which is more the audio modules). Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding the mounting bar comprising: rail wherein there are more module mounting locations than audio modules so as to conveniently move one or more plurality of sound fixtures to any position along the track.

Similarly, it would have been obvious for one of the ordinary skills in the art to have tried in substituted the audio modules for the specific of including audio-visual modules if desired which yield predictable result so as to conveniently move one or more plurality of sound-visual fixtures to any position along the track.

Similarly, the combined teaching of Cowan et al. and Simon and Greenberg as a whole, fail to disclose that the modules as being positioned within the vertical bounds of the display device. But, Schlatmann et al. disclose of a housing comprising: a module as being positioned within the vertical bounds of a display device (fig.2;



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fig.3 (109); col.5 line 18-25) so as to generate a center loudspeaker with an acoustically high-grade apparatus. Thus, it would have been obvious for one of the ordinary skills in the art to have modified the prior art by adding the module as being positioned within the vertical bounds of the display device so as to generate a center loudspeaker with an acoustically high-grade apparatus.

The combined teaching of Cowan et al. and Simon and Greenberg and Schlatmann et al. as a whole, further disclose a cover having a length (fig.2(16); par [0023]/the modules comprise a grill cover).

However, the combined teaching of Cowan et al. and Simon and Greenberg and Schlatmann et al. as a whole, fail to disclose of the specific wherein the cover having a length substantially the same as the width of the display device. But, it would have been obvious for one of the ordinary skills in the art to have the cover for the module as being any dimension and may include having such cover having a length substantially the same as the width of the display device for the same benefit as in providing the transducer module a pleasing aesthetic outer appearance.

Similarly, Claims 36-37; 43-44; 46 which cite the similar limitation as in claims 9-10; 16-17; 19 respectively have been analyzed and rejected.

Claim 11-15; 18; 20-21; 31-32; 38-42; 45; 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cowan et al. (US 2003/0029975 A1) and Simon (US 2001/0027560 A1) and Greenberg (US 4475226) and Schlatmann et al. (US 6,298,942 B1).

Re claim 11, the assembly of claim 2, the combined teaching of Cowan et al. and Simon and Greenberg and Schlatmann et al. as a whole, fail to failed wherein the module comprise an amplifier. But, official notice is taken the concept of having a module comprise an amplifier is well known in the art. Thus, it would have been obvious for one of the ordinary skill in the art to have tried in modifying the module as additionally having such audio-visual module comprise an amplifier so as to increase the audio signal to be heard by the listener.

Re claim 12, the modular mounting system of claim 2, but, the combined teaching of Cowan et al. and Simon and Greenberg and Schlatmann et al. as a whole, failed to disclose of the audio-visual module comprise a television tuner. But, official notice is taken the concept of having a module comprise a television tuner is well known in the art. Similarly, it would have been obvious for one of the ordinary skills in the art to have tried in modifying such module with additionally including such audio-visual module comprise a television tuner so as to enable the user to receive television program as desired.

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RE claim 13, the modular mounting system of Claim 2, but, the combined teaching of Cowan et al. and Simon and Greenberg and Schlatmann et al. as a whole, failed to disclose of wherein the at least one audio-visual module comprises an audio-visual controller.

But, official notice is taken the concept of having a module comprise an audio-visual controller is well known in the art. Similarly, it would have been obvious for one of the ordinary skills in the art to have tried in modifying such module with additionally including such audio-visual module comprise an audio-visual controller so as to enable the user to manually adjust the module device.

Re claim 14, the modular mounting system of Claim 2, but, the combined teaching of Cowan et al. and Simon and Greenberg and Schlatmann et al. as a whole, failed to disclose of wherein the at least one audio-visual module comprises a wireless transmitter.

But, official notice is taken the concept of having a module comprise a wireless transmitter is well known in the art. Similarly, it would have been obvious for one of the ordinary skills in the art to have tried in modifying such module with additionally including such audio-visual module comprise a wireless transmitter so as to relay audio-video signal to other component of the device.

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RE claim 15, the modular mounting system of Claim 2, but, the combined teaching of Cowan et al. and Simon and Greenberg and Schlatmann et al. as a whole, failed to disclose of wherein the at least one audio-visual module comprises a wireless receiver.

But, official notice is taken the concept of having a module comprise a wireless receiver is well known in the art. Thus, it would have been obvious for one of the ordinary skills in the art to have tried in modifying such module with additionally including such audio-visual module comprise a wireless receiver so as to relay video signal received from the outside.

RE claim 18, the modular mounting system of Claim 2, the combined teaching of Cowan et al. and Simon and Greenberg and Schlatmann et al. as a whole, failed to disclose of wherein the at least one audio-visual module comprises an MP3 player.

But, official notice is taken the concept of having a module comprise an MP3 is well known in the art. Thus, it would have been obvious for one of the ordinary skills in the art to have tried in modifying such module with additionally including such audio-visual module comprise an MP3 player so as to enable the storage and playing of audio files.

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Re claim 20, the modular mounting system of Claim 2, but the combined teaching of Cowan et al. and Simon and Greenberg and Schlatmann et al. as a whole, failed to disclose of wherein the at least one audio-visual module comprises a media center.

But, official notice is taken the concept of having a module comprise a media center is well known in the art. Thus, it would have been obvious for one of the ordinary skills in the art to have tried in modifying such module with additionally including such audio-visual module comprises a media center so as to enable the user to play various kind of media as in (music, movies, photo) as desired.

Re claim 21, the modular mounting system of Claim 2, but the combined teaching of Cowan et al. and Simon and Greenberg and Schlatmann et al. as a whole, failed to disclose of wherein the at least one audio-visual module comprises an audio-visual signal distribution system.

But, official notice is taken the concept of having a module comprise an audio-visual signal distribution system is well known in the art. Thus, it would have been obvious for one of the ordinary skills in the art to have tried in modifying such module with additionally including such audio-visual module comprises an audio-visual signal distribution system so as to distribute scrambled pay TV program provided by the TV program provider.

Similarly, Claims 38-42; 45; 47-48; 43-44; 46 which cite the similar limitation as in claims 11-15; 18; 20-21 respectively have been analyzed and rejected.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DISLER PAUL whose telephone number is (571)270-1187. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/D. P./

Examiner, Art Unit 2614

/Devona E. Faulk/

Primary Examiner, Art Unit 2614